



Dkt. 0575/62683/JPW/SHS/ALB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David Pinsky, David Stern, and Shi-Fang Yan
U.S. Serial No.: 09/648,389 Examiner: S.L. Chen
Filed : August 25, 2000 Art Unit: 1633
For : METHODS FOR SUPPRESSING EARLY GROWTH
RESPONSE-1 PROTEIN (EGR-1) TO REDUCE
VASCULAR INJURY IN A SUBJECT

1185 Avenue of the Americas
New York, New York 10036
December 18, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

BOX Sequence

Sir:

COMMUNICATION IN RESPONSE TO NOVEMBER 26, 2001 NOTICE TO
COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

This Communication is in response to the November 26, 2001 Notice To Comply with Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures in connection with the above-identified application. A copy of the Notice To Comply is attached hereto as Exhibit A. A response to the November 26, 2001 Notice is due December 26, 2001. Accordingly, this Communication is being timely filed.

REMARKS

The October 22, 2001 Notice indicates that a copy of the "Sequence Listing" in computer readable form has been submitted. However, the Examiner alleges that the content of the computer readable form does not comply with the requirements of 37 C.F.R.

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1.822 and /or 1.823 as indicated on the attached copy of the marked-up "Raw Sequence Listing." The Examiner states that the applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter. The Examiner stated in the "Raw Sequence Listing Error Summary" the use of <220> is mandatory if <213> "Organism" response is "Artificial Sequence" or "Unknown." The Examiner requested that applicant explain source of genetic material in <220> section of the "Sequence Listing."


In response, the applicants submit herewith a substitute paper copy of a Sequence Listing as Exhibit B, a computer disk including a computer readable form of the Sequence Listing and a Statement of Compliance as Exhibit C, pursuant to 37 C.F.R. 1.821(e), 1.821(f), 1.821(g), 1.821(b), or 1.821(d). The attached sequence listing does not involve any issue of new matter.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invite the Examiner to telephone him at the number provided below.

Applicants : David Pinsky, David Stern, and Shi-Fang Yan
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No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.	
 John P. White Reg. No. 28,678	<u>12/18/01</u> Date

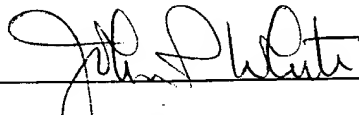

John P. White
Registration No. 28,678
Attorney for Applicant(s)
Cooper & Dunham, LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

Exhibit 1:

--3. (Amended) The method of claim 1, wherein the inhibitor is a nucleic acid which comprises a polynucleotide sequence complementary to the polynucleotide sequence of Early Growth Response Factor - 1 mRNA.-



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David Pinsky, David Stern, and Shi-Fang Yan
U.S. Serial No.: 09/648,389 Examiner: Terra Gibbs
Filed : August 25, 2000 Art Unit: 1635
For : METHODS FOR SUPPRESSING EARLY GROWTH
RESPONSE-1 PROTEIN (EGR-1) TO REDUCE
VASCULAR INJURY IN A SUBJECT

1185 Avenue of the Americas
New York, New York 10036
October 3, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

STATEMENT

I hereby certify that the copy of papers attached hereto as Exhibit 5, submitted in connection with the above-identified application, is a complete and accurate copy of the originally submitted documents and contains no new matter.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

RECEIVED

OCT 10 2002

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Respectfully submitted,

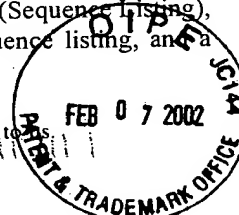
Armand L. Balboni
c/o Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

Applicant David Pinsky, et al.
Client Columbia-0575 File No. 62683 ✓ Atty. JPW/SHS/ALB ✓
Date December 18, 2001 AP

Kindly acknowledge receipt of the accompanying
**COMMUNICATION IN RESPONSE TO NOVEMBER 26, 2001 NOTICE TO
COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES** in connection with David Pinsky, et al., U.S. Serial
No. 09/648,389, filed August 25, 2000 for METHODS FOR SUPPRESSING EARLY
GROWTH RESPONSE-1 PROTEIN (EGR-1) TO REDUCE VASCULAR INJURY
IN A SUBJECT, including Exhibit A (Copy of Notice), Exhibit B (Sequence Listing),
Exhibit C (Statement), computer disk containing CRF of sequence listing, and a
Certificate of Mailing dated December 18, 2001.

Date Due December 26, 2001

by placing your receiving date stamp hereon and returning to us



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David Pinsky, David Stern, and Shi-Fang Yan
U.S. Serial No.: 09/648,389 Examiner: S.L. Chen
Filed : August 25, 2000 Art Unit: 1633
For : METHODS FOR SUPPRESSING EARLY GROWTH RESPONSE-
1 PROTEIN (EGR-1) TO REDUCE VASCULAR INJURY IN
A SUBJECT

1185 Avenue of the Americas
New York, New York 10036
October 3, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

STATEMENT IN ACCORDANCE WITH 37 C.F.R. §1.821 (f)

In accordance with 37 C.F.R. §1.821(f), I hereby certify that the computer readable form containing the nucleic acid and/or amino acid sequences required by 37 C.F.R. §1.821(e) and submitted in connection with the above-identified application, has the same information as the pages attached hereto as **Exhibit B**, and entitled "Sequence Listing" and does not contain any issue of new matter.

I hereby declare that all statements made herein of my own knowledge are true and that statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

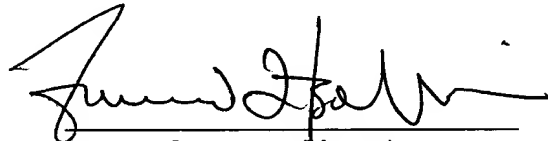
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Serial No : 09/648,389
Filed : August 25, 2000
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section 1001 of Title 18 of the United States Code and that any such willful false statements may jeopardize the validity of the '622 application or any patent issued thereon.

Respectfully submitted,

Date

10/03/02


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